

"Tea No. 13. \* \* \* Ingredients: Flowers; Lavender. Origan. Marjoram. Seeds; Angelica, Anise, Caraway, Coriander, Fennel. Roots; Angelica. Vehicle; Hazel leaves."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the labels of the articles were false and misleading. The statements represented and suggested that the articles were effective in the treatment of the following diseases, symptoms, and conditions; (No. 1 Tea) diabetes; (No. 3 Tea) rheumatism, gout, sciatica, arthritism; (No. 11 Tea) obesity, paralysis, goiter, arteriosclerosis; (No. 14 Tea) bad circulation, varicose veins, piles, congestion, phlebitis, hemorrhage; (No. 16 Tea) heart disease, kidneys, liver, and urinary organs; (No. 18 Tea) ulcers of the stomach and the intestines; (No. 6 Tea) nervousness, epilepsy, St. Vitus' dance, hysteria, neurasthenia; (No. 20 Tea) Spring and Autumn conditions, infectious disease, poor appetite; (No. 4 Tea) "anemia" and critical age; (No. 7 Tea) whooping cough and all respiratory troubles in children; (No. 8 Tea) menstrual irregularity, insufficiency, and menopause; (No. 10 Tea) diarrhea and enteritis; (No. 12 Tea) pimples, acne, and vitiated blood; and (No. 13 Tea) stomach complaints. The articles were not effective in the treatment of such diseases, symptoms, and conditions.

**DISPOSITION:** September 27, 1948. Default decree of condemnation and destruction.

**2706. Misbranding of Prostall. U. S. v. 10 Bottles, etc. (F. D. C. No. 26382. Sample No. 32509-K.)**

**LIBEL FILED:** January 13, 1949, Northern District of California.

**ALLEGED SHIPMENT:** By Douglas Laboratories, Inc., from Boston, Mass. The product was shipped on or about November 12, 1948, and a number of leaflets were shipped on or about October 29, 1948.

**PRODUCT:** 10 100-capsule bottles of *Prostall* at San Francisco, Calif., together with a number of leaflets entitled "The Story of Prostall." In addition a placard which was prepared by the consignee was displayed with the product. The shipper, however, had suggested the wording to be used on the placard in a letter dated February 27, 1947. Analysis showed that the product consisted of amino acids.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle label and in the leaflets were false and misleading since they represented and suggested that the article was effective in the relief of pain and prostate hypertrophy, whereas the article was not effective for such purposes. The article was misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), certain statements on the placard were false and misleading since they represented and suggested that the article was effective in the relief of urinary frequency and nocturia, whereas the article was not effective for such purposes. The article was misbranded in the latter respect while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 1, 1949. Default decree of condemnation. The product was delivered to the Food and Drug Administration.

**2707. Misbranding of Eskimo Vibrator. U. S. v. Bersted Manufacturing Co. Plea of nolo contendere. Fine of \$100 and costs. (F. D. C. No. 26695. Sample Nos. 20728-K, 31625-K.)**

**INFORMATION FILED:** May 9, 1949, Northern District of Ohio, against the Bersted Manufacturing Co., a corporation, Fostoria, Ohio.